

Application No. 10/661,166

Amendment Dated 3/26/2007

Reply to Office Action of 08/14/2006 and Office Communication of 02/26/2007

Amendments to the Drawings

The attached sheets of drawings include changes to Figures 5 and 7. In Figure 5, label 308 is changed to 306b and label 320a is added. In Figure 7, labels 304c, 306a, 307a, 310a, 315, 315a, 315d, 315e, 315f and 316 are added.

Attachment: Two Replacement Sheets

Remarks/Arguments

Claims 1 - 17 are pending in the application. By this amendment, claims 1, 4, 6, 8, 12, 15, 16 and 17 as well as the specification and Figures 5 and 7 are amended. The Replacement Sheets are included in the Appendix. This corrected amendment is filed in response to the Office Communication of 26 February 2007. For the sake of completeness and as a courtesy to the Examiner, the earlier response to the Office Action of 14 August 2006 is fully incorporated into this document.

Page 2 of the Office Communication alleges errors with respect to numerals 320a 510, 302f, 302g, 302h, 330 and 304b. Errors with respect to labels 320a, 510 and 304b have been verified and corrected. However, no correction is necessary for labels 302f, 306g, 306h and 330. The Office alleges that these labels do not appear in the specification. Applicants respectfully submit that label 330 appears in line 3 of paragraph [0012] while labels 302f, 306g and 306h appear in paragraph [0013] in lines 6, 8 and 9 respectively. Applicants respectfully submit that the informalities addressed by the Office Communication have been eliminated.

Page 2 of the Office Action rejects claims 1-13, 15, 16 and 17 under 35 USC 112, 2nd paragraph. The claims have been amended in accordance with the recommendations of the Office Action and are now in compliance with 35 USC, 2nd paragraph. It is respectfully requested that the rejection of claims 1-13, 15, 16 and 17 under 35 USC 112, 2nd paragraph be withdrawn.

Page 4 of the Office Action rejects claims 12 and 13 under 35 USC 102(b) as being anticipated by US Patent 6,158,945 to Anderson et al. (hereinafter "Anderson et al."). The rejection is respectfully traversed.

Claim 12 recites, inter alia, "...a boom angle follower, the boom angle follower including a spring and a follower arm, the spring capable of biasing the follower arm against a surface of the boom such that the follower arm remains in contact with the boom throughout a rotational movement of the boom about the pivot..." Anderson et al. does not disclose or suggest this feature. In fact the potentiometer 200 disclosed in Anderson et al. "...is coupled to the arms' rear torque tube assembly 62 along with the pivot axis to monitor the position of the arms relative to the body." (Anderson et al., column 9, lines 4-7) Further, Anderson et al.'s potentiometer 200 "...has a rotary

arm 205 fixedly mounted to the body so that as arm 56 is pivoted its position relative to the body is detected..." (Anderson et al., column 9, lines 14-16)

As demonstrated above, Anderson et al. does not disclose every feature recited in claim 12 and, thus, does not anticipate claim 12. Further, Anderson et al. cannot anticipate claim 13 as it includes all of the features of claim 12 as well as additional features. It is respectfully requested that the rejection of claim 12 under 35 USC 102(b) as anticipated by Anderson et al. be withdrawn.

Page 2 of the Office Action rejects claim 14 under 35 USC 102(b) as anticipated by European Patent Specification 0 718 593 B1 to Lee et al. (hereinafter "Lee et al."). The rejection is respectfully traversed.

Claim 14 recites, inter alia, "...a boom angle follower for following the boom through at least one boom angle, the boom angle follower including a spring and a follower arm, the spring biasing the follower arm against a surface of the boom arm such that the follower arm remains in contact with the boom arm throughout a rotational movement of the boom arm about the pivot..." Lee et al. does not disclose a "boom angle follower including a spring and a follower arm, the spring biasing the follower arm against a surface of the boom arm such that the follower arm remains in contact with the boom arm throughout a rotational movement of the boom arm about the pivot." Applicants agree with the Office Action when it states that, according to Lee et al.'s Figure 4, sensor 12 rides in arcuate groove 13. However, Lee et al. does not disclose a spring biasing 12 against the arm 6. Further, such a spring would be unnecessary as the sensor 12 rides in the arcuate groove 13. Thus, Lee et al. does not disclose every feature of claim 14.

Applicants respectfully submit that, as demonstrated above, and, contrary to the assertions of the Office Action, Lee et al. does not disclose every feature of claim 14 and, thus, does not anticipate claim 14. It is respectfully requested that the rejection of claim 14 under 35 USC 102(b) as anticipated by Lee et al. be withdrawn.

For at least the reasons set forth above, applicant respectfully submits that the application defines patentable subject matter. Favorable reconsideration and prompt allowance of claims 1 - 17 is respectfully solicited.

Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, he was invited to contact Applicants' undersigned representative at the telephone number listed below.

Any fees or charges due as a result of filing of the present paper may be charged against Deposit Account 04-0525.

Respectfully,

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APPENDIX
(Replacement Sheets for Figures 5 and 7)